

*Fantasia Dawson v. The Kroger Co. et al.*  
*State Court of DeKalb County, State of Georgia*  
*Civil Action File Number: 23A02972*

*Fantasia Dawson v. The Kroger Co. et al.*  
*USDC, Northern District, Atlanta Division*  
*Civil Action File Number: TBA (Removal # 1:23-mi-99999)*

## **EXHIBIT A: NOTICE OF REMOVAL**

ALL PLEADINGS, PROCESS, AND ORDERS SERVED  
UPON DEFENDANTS IN THE  
STATE COURT OF DEKALB COUNTY,  
STATE OF GEORGIA

23A02972

No. \_\_\_\_\_

Date 8/28/2023 Issued and Filed

/s/ Monica Gay

Deputy Clerk

Deposit Paid \$ \_\_\_\_\_

**STATE COURT OF DEKALB COUNTY  
GEORGIA, DEKALB COUNTY****SUMMONS**

Fantasia Dawson

(Plaintiff's name and address)

 **ANSWER** **JURY****vs.**

The Kroger Co.  
 c/o CSC of Cobb County, Inc.  
 192 Anderson Street S.E. Suite 125  
 Marietta, Georgia 30060

(Defendant's name and address)

**TO THE ABOVE-NAMED DEFENDANT:**

You are hereby summoned and required to file with the Clerk of State Court, Suite 230, 2<sup>nd</sup> Floor, Administrative Tower, DeKalb County Courthouse, 556 N. McDonough Street, Decatur, Georgia 30030 and serve upon the plaintiff's attorney, to wit:

Kristina Ducos, Esq.  
 Georgia Bar No.: 440149  
 600 Peachtree Street NE Suite 3710  
 Atlanta, Georgia 30308  
 T: (678) 591-7512  
 F: (470) 220-5130  
 E: kduocos@asilpc.com

an ANSWER to the complaint which is herewith served upon you, within thirty (30) days after service upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. (Plus cost of this action.)

Defendant's Attorney

Third Party Attorney

Address

Address

Phone No. \_\_\_\_\_

Georgia Bar No. \_\_\_\_\_

Phone No. \_\_\_\_\_

Georgia Bar No. \_\_\_\_\_

**TYPE OF SUIT**

- |                                   |  |
|-----------------------------------|--|
| <input type="checkbox"/> Account  | <input type="checkbox"/> Personal Injury     |
| <input type="checkbox"/> Contract | <input type="checkbox"/> Medical Malpractice |
| <input type="checkbox"/> Note     | <input type="checkbox"/> Legal Malpractice   |
| <input type="checkbox"/> Trover   | <input type="checkbox"/> Product Liability   |
|                                   | <input type="checkbox"/> Other               |

Principal	\$ _____
Interest	\$ _____
Atty Fees	\$ _____

 Transferred From \_\_\_\_\_

(Attach BLUE to Original and WHITE to Service Copy of complaint)

STATE COURT OF  
 DEKALB COUNTY, GA.  
 7/4/2023 4:57 AM  
 E-FILED  
 SUMMONS12008rev  
 Monica Gay

23A02972

No. \_\_\_\_\_

Date 7/5/2023 Issued and Filed**STATE COURT OF DEKALB COUNTY  
GEORGIA, DEKALB COUNTY****SUMMONS**

/s/ Monica Gay

Fantasia Dawson

Deputy Clerk

Deposit Paid \$ \_\_\_\_\_

(Plaintiff's name and address)

[ ] **ANSWER**[ ] **JURY**

**vs.**  
 1160 Moreland Ave S.E. LLC  
 c/o CT Corporation Systems  
 289 South Culver Street  
 Lawrenceville, Georgia 30046

(Defendant's name and address)

**TO THE ABOVE-NAMED DEFENDANT:**

You are hereby summoned and required to file with the Clerk of State Court, Suite 230, 2<sup>nd</sup> Floor, Administrative Tower, DeKalb County Courthouse, 556 N. McDonough Street, Decatur, Georgia 30030 and serve upon the plaintiff's attorney, to wit:

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Defendant's Attorney

Third Party Attorney

Address

Address

Phone No. \_\_\_\_\_

Georgia Bar No. \_\_\_\_\_

Phone No. \_\_\_\_\_

Georgia Bar No. \_\_\_\_\_

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|                                   | <input type="checkbox"/> Other               |

Principal	\$ _____
Interest	\$ _____
Atty Fees	\$ _____

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STATE COURT OF  
DEKALB COUNTY, GA.  
7/4/2023 4:57 AM  
E-FILED  
Supreme Court 12008rev  
BY: Monica Gay

**General Civil and Domestic Relations Case Filing Information Form**

Superior or  State Court of DeKalb County

**For Clerk Use Only**

Date Filed 7/28/23

Case Number 1160 Moreland Ave S.E. LLC

MM-DD-YYYY

**Plaintiff(s)**

Dawson Fantasia

Last	First	Middle I.	Suffix	Prefix
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Last	First	Middle I.	Suffix	Prefix
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Last	First	Middle I.	Suffix	Prefix
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Last	First	Middle I.	Suffix	Prefix
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Plaintiff's Attorney Kristina Ducos

**Defendant(s)**

The Kroger Co.

Last	First	Middle I.	Suffix	Prefix
1160 Moreland Ave S.E. LLC				

Last	First	Middle I.	Suffix	Prefix
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John Doe A-B

Last	First	Middle I.	Suffix	Prefix
------	-------	-----------	--------	--------

ABC Corporations 1-5

Last	First	Middle I.	Suffix	Prefix
------	-------	-----------	--------	--------

Bar Number 440149

Self-Represented

**Check One Case Type In One Box****General Civil Cases**

- Automobile Tort
- Civil Appeal
- Contract
- Garnishment
- General Tort
- Habeas Corpus
- Injunction/Mandamus/Other Writ
- Landlord/Tenant
- Medical Malpractice Tort
- Product Liability Tort
- Real Property
- Restraining Petition
- Other General Civil

**Domestic Relations Cases**

- Adoption
- Dissolution/Divorce/Separate Maintenance
- Family Violence Petition
- Paternity/Legitimation
- Support - IV-D
- Support - Private (non-IV-D)
- Other Domestic Relations

**Post-Judgment - Check One Case Type**

- Contempt
- Non-payment of child support, medical support, or alimony
- Modification
- Other/Administrative

- Check if the action is related to another action(s) pending or previously pending in this court involving some or all of the same parties, subject matter, or factual issues. If so, provide a case number for each.

Case Number \_\_\_\_\_

Case Number \_\_\_\_\_

- I hereby certify that the documents in this filing, including attachments and exhibits, satisfy the requirements for redaction of personal or confidential information in O.C.G.A. § 9-11-7.1.

- Is an interpreter needed in this case? If so, provide the language(s) required. \_\_\_\_\_ Language(s) Required \_\_\_\_\_

- Do you or your client need any disability accommodations? If so, please describe the accommodation request.

## General Civil and Domestic Relations Case Filing Instructions

1. Provide the class of court and county in which the case is being filed.
2. Provide the plaintiff's and defendant's names.
3. Provide the plaintiff's attorney's name and Bar number. If you are representing yourself, provide your own name and check the self-represented box.
4. Provide the type of case by checking only one appropriate box. Cases can be either general civil or domestic relations and only one type of case within those categories. Check the case type that most accurately describes the primary case. If you are making more than one type of claim, check the case type that involves the largest amount of damages or the one you consider most important. See below for definitions of each case type.
5. Provide the type of post-judgment action, if applicable, by checking the appropriate box. Post-judgment cases are those that seek to enforce or modify an existing judgment. If the case is a post-judgment matter, an initial case type in the general civil and domestic relations boxes must be checked.
6. Provide an answer to the four questions by checking the appropriate boxes and/or filling in the appropriate lines.

### **Case Type Definitions**

#### **General Civil Cases**

**Automobile Tort:** Any tort case involving personal injury, property damage, or wrongful death resulting from alleged negligent operation of a motor vehicle.

**Civil Appeal:** Any case disputing the finding of a limited jurisdiction trial court, department, or administrative agency.

**Contract:** Any case involving a dispute over an agreement between two or more parties.

**Garnishment:** Any case where, after a monetary judgment, a third party who has money or other property belonging to the defendant is required to turn over such money or property to the court.

**General Tort:** Any tort case that is not defined or is not attributable to one of the other torts.

**Habeas Corpus:** Any case designed to test the legality of the detention or imprisonment of an individual, not the question of guilt or innocence.

**Injunction/Mandamus/Other Writ:** Cases involving a written court order directed to a specific person, requiring that person to perform or refrain from performing a specific act.

**Landlord/Tenant:** Any case involving landlord/tenant disputes wherein the landlord removes a tenant and his/her property from the premises or places a lien on tenant property to repay debt.

**Medical Malpractice Tort:** Any tort case that alleges misconduct or negligence by a person in the medical profession acting in a professional capacity, such as doctors, nurses, physician's assistants, dentists, etc.

**Product Liability Tort:** Any tort case that alleges injury is caused to a person by the manufacturer or seller of an article due to a defect in, or the condition of, the article sold or an alleged breach of duty to provide suitable instructions to prevent injury.

**Real Property:** Any case involving disputes over the ownership, use, boundaries, or value of fixed land.

**Restraining Petition:** Any petition for a restraining order that does not result from a domestic altercation or is not between parties considered to be in a domestic relationship.

**Other General Civil:** Any case in which a plaintiff requests the enforcement or protection of a right or the redress or prevention of a wrong, but does not fit into one of the other defined case categories.

#### **Domestic Relations Cases**

**Adoption:** Cases involving a request for the establishment of a new, permanent relationship of parent and child between persons not so biologically related.

**Dissolution/Divorce/Separate Maintenance:** Any case involving the dissolution of a marriage or the establishment of alimony or separate maintenance.

**Family Violence Petition:** Any case in which a protective order from a family member or domestic partner is requested.

**Paternity/Legitimation:** Cases involving the establishment of the identity and/or responsibilities of the father of a minor child or the determination of biological offspring.

**Support – IV-D:** Cases filed by the Georgia Department of Human Services to request maintenance of a minor child by a person who is required, under Title IV-D of the Social Security Act of 1973, to provide such maintenance.

**Support – Private (non-IV-D):** Cases filed to request maintenance of a parent/guardian or a minor child by a person who is required by law, but who is not under the auspices of Title IV-D of the Social Security Act of 1973, to provide such maintenance.

**Other Domestic Relations:** Domestic relations cases, including name changes, that do not adequately fit into any of the other case types.

#### **Post-Judgment**

**Contempt:** Any case alleging failure to comply with a previously existing court order.

**Modification:** Any case seeking to change the terms of a previously existing court order.

**Other/Administrative:** Any case with post-judgment activity that does not fit into contempt or modification categories.

**Please note:** This form is for statistical purposes only. It shall have no legal effect in the case. The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or court rules. Information on this form cannot be entered into evidence.

IN THE STATE COURT OF DEKALB COUNTY  
STATE OF GEORGIA

FANTASIA DAWSON, )  
v. Plaintiff, ) ) CIVIL ACTION  
THE KROGER CO.; 1160 MORELAND ) FILE NO.: 23A02972  
AVE S.E. LLC; JOHN DOE A-B; AND ) JURY TRIAL DEMANDED  
ABC CORPORATIONS 1-5, )  
Defendants. )

COMPLAINT

COMES NOW, Plaintiff, FANTASIA DAWSON (hereinafter "Plaintiff"), in the above-styled action, and files this Complaint and Demand for Jury Trial under O.C.G.A. § 51-2-2 against the Defendant, THE KROGER CO., 1160 MORELAND AVE. S.E., LLC, and JOHN DOE A-B, and ABC CORPORATIONS 1-5, and shows the court as follows:

PRELIMINARY STATEMENT

1.

This is a civil action seeking to hold Defendants, The Kroger Co., 1160 Moreland Ave. S.E., LLC, John Doe A-B, ABC Corporations 1-5 accountable liable for actions and/or omissions that resulted in serious injuries to Fantasia Dawson on the premises of Kroger store #488 located at 1160 Moreland Ave S.E., Atlanta, Georgia on November 28, 2021.

PARTIES, JURISDICTION, AND VENUE

2.

Plaintiff is a resident of the State of Georgia.

3.

Defendant THE KROGER Co. (hereinafter "Kroger Co.") is a foreign corporation E-FILED  
7/1/2023 4:57 AM  
BY: Monica Gay

STATE COURT OF  
DEKALB COUNTY, GA.  
7/1/2023 4:57 AM  
E-FILED  
BY: Monica Gay

registered and authorized to transact business in Georgia.

4.

Defendant Kroger Co. is subject to the personal jurisdiction of this Court.

5.

Defendant Kroger Co. may be served with legal process through its registered agent for service: CSC of Cobb County, Inc., at 192 Anderson Street S.E., Suite 125, Marietta, Georgia 30060.

6.

Defendant 1160 Moreland Ave. S.E., LLC (Defendant "1160 LLC") is a foreign corporation registered and authorized to transact business in Georgia.

7.

Defendant 1160 LLC is subject to the personal jurisdiction of this Court.

8.

Defendant 1160 LLC may be served with legal process through its registered agent for service: CT Corporation System at 289 S. Culver Street, Lawrenceville, Georgia 30046.

9.

Defendant John Doe A-B and ABC Corporations Nos. 1 through 5 are believed to be Georgia or foreign corporations, partnerships, associations, or other legal entities that have transacted business in the State of Georgia and are responsible for the injuries and damages incurred by Plaintiff. Once the identity and the whereabouts of the John Doe Defendants are established, said Defendant(s) will be served with a copy of summons and complaint as provided by law. Defendant(s) will be served with a copy of summons and complaint as provided by law. Defendants JOHN DOES No. 1 through 5 are subject to the jurisdiction and venue of this Court.

10.

Defendant John Doe A-B and ABC Corporations 1-5 are believed to be citizens of the State of Georgia and are responsible for the injuries and damages Plaintiff incurred. Once the identities and the

whereabouts of the John Doe Defendants are established, said Defendants will be served with copies of summonses and the complaint as provided by law.

11.

The true name and/or capacities, whether individual, corporate, associate or otherwise of Does A-B, inclusive, are unknown to the plaintiff at this time, and who therefore sue said defendants by such fictitious names. Plaintiff at this time, and who therefore sue said defendants by such fictitious names. Plaintiff is informed and believes and thereupon allege that each of the defendants by such fictitious named herein as a DOE is legally responsible, negligently or in some other actionable manner, for the events and happenings hereinafter referred to and thereby proximately and legally cause the injuries and damages to Plaintiff as hereinafter alleged. The plaintiff will ask leave of court to amend this Complain to insert the true names and/or capacities of such fictitiously named defendants when the same has been ascertained.

12.

At all times mentioned herein, defendants and DOES were the employers, agents, employees and/or representative of each other and in doing the things hereinafter alleged, were acting within the course and scope of such agency, service and representation, and directed, aided and abetted, authorized or ratified each and every act and conduct hereinafter alleged.

13.

At all times mentioned herein each defendant was the co-tortfeasor of each of the other defendants in doing the things hereinafter alleged, and each owned, leased, occupied, managed, and/or controlled the real property in question.

14.

Whenever and wherever reference is made to individuals who are not named as Defendants in this action but were the agents and/or employees of Defendants, it is alleged that such individuals at all times acted on behalf of Defendants named in this action within the course and scope of their respective agencies and/or employments.

15.

Whenever and wherever reference is made in this Complaint to any conduct of Defendants or any of them, such allegations or references shall also be deemed to mean the conduct of each Defendant, acting individually, jointly and severally.

16.

This Court has personal jurisdiction over Defendants. Each of them regularly conducts business in Georgia; or maintains principal places of business in Georgia; or owns property in Georgia. Jurisdiction over Defendants will not offend traditional notions of fair play and substantial justice and is consistent with constitutional due process.

17.

Venue is proper as to Defendants under the Ga. Const., Art. VI, § II, ¶ VI and other applicable laws because the cause of action originated at The Kroger Co., located at 1160 Moreland Ave. S.E., in DeKalb County.

18.

Defendant Kroger Co. and 1160 LLC owned, operated, occupied, managed, housekept, and/or maintained Kroger Store #488 located at 1160 Moreland Ave S.E., Atlanta, Georgia 30316 (“The Premises”).

#### **FACTS AND ALLEGATIONS OF LIABILITY**

19.

Plaintiff hereby incorporates paragraphs 1-18 of her Complaint as if fully set forth herein.

20.

Plaintiff was present at the subject store as a patron shopping.

21.

Defendant Kroger Co. and 1160 LLC owned, operated, installed, set up, managed, upkept, and/or maintained the Premises on November 28, 2021.

22.

Unbeknownst to the Plaintiff, there was slippery substance on the floor.

23.

As Plaintiff was exiting the restroom, Plaintiff unwittingly slipped on the slippery substance on the floor and lost consciousness.

24.

Defendants allowed a slip hazard to exist on the Premises near the restrooms on November 28, 2021.

25.

At all relevant times, Plaintiff conducted herself as a reasonably prudent patron, exercised due care for her own safety and, in no way, contributed to her own injuries.

**COUNT I- NEGLIGENCE MAINTENANCE OF PREMISES  
AS TO ALL DEFENDANTS**

26.

Plaintiff incorporates paragraphs 1-25 as fully set forth herein.

27.

At all relevant times, Defendant Kroger Co. and 1160 LLC and their agents, employees, and/or delegates owed Plaintiff a duty to exercise the degree of care ordinarily possessed and exercised by owners, operators, constructors, managers, and maintainers of premises that are open to invitees. This duty included, but was not limited to, Defendants obligation to exercise ordinary care in maintaining said premises to kept free from dangerous and hazardous conditions.

28.

Defendants Kroger Co. and 1160 LLC had actual or constructive knowledge of the hazardous condition created leaving a slippery substance on the floor, but despite that knowledge, Defendants Kroger Co. and 1160 LLC failed to exercise ordinary care in keeping the slippery substance on the floor, thereby creating a hazardous condition for invitees.

29.

Defendants Kroger Co. and 1160 LLC owed a non-delegable duty of reasonable care in keeping the premises safe for invitees such as Plaintiff.

30.

Defendants Kroger Co. and 1160 LLC knowledge of the hazardous condition on the premises was superior to that of the Plaintiff.

31.

As a direct and proximate result of the Defendants negligence, Plaintiff sustained serious injuries, pain and suffering, mental anguish, and other damages, including but not limited to, medical expenses that will be proven at trial as permitted under Georgia Law.

**COUNT II-NEGLIGENT FAILURE TO WARN  
AS TO THE KROGER CO.**

32.

Plaintiff incorporates Paragraphs 1 through 31 as fully set forth herein.

33.

At all times relevant, Defendant Kroger Co. and its agents, employees, and/or delegates owed Plaintiff a duty to exercise that degree of care ordinarily possessed and exercised by owners. Operators, constructors, managers, and maintainers of premises open to invitees. This duty included but was not limited to Defendant's obligation to provide reasonable warning to invitees, such as Plaintiff, of the existence of dangerous and hazardous conditions on said premises about which Defendant Kroger Co. had actual and/or constructive knowledge.

34.

Defendant Kroger Co. was negligent by:

- (a) Active negligence and creating the hazard;
- (b) Allowing a slip hazard to remain on the floor;
- (c) Failing to barricade the hazard; and/or

(d) Failing to warn Plaintiff about the hazard.

35.

As a result of the conduct of Defendant Kroger Co., Plaintiff slipped on a wet substance on the floor near the restrooms.

36.

Plaintiff lacked knowledge of the hazardous conditions on the premises despite the exercise of ordinary care. The slippery condition of the floor was not readily noticeable.

37.

As a direct and proximate result of Defendant Kroger Co. negligence in failing to warn patrons or invitees of the hazardous condition, Plaintiff sustained serious injuries, pain and suffering, mental anguish, loss of enjoyment of life, and other damages, including, but not limited to, medical expenses as will be proven at trial and permitted under Georgia Law.

**COUNT III- VICARIOUS LIABILITY  
AS TO THE KROGER CO.**

38.

Plaintiff incorporates paragraphs 1 through 37 as fully set forth herein.

39.

At all times relevant to this action, the individuals responsible for inspecting and maintaining the area where the substance was left unattended were employed by Defendant Kroger Co. and were acting within the scope of their employment.

40.

Kroger Co. is responsible for the conduct of these individuals under the doctrine of *respondeat superior*, vicarious liability, agency, or apparent agency.

**COUNT IV-NEGLIGENT TRAINING AND SUPERVISION  
AS TO THE KROGER CO.**

41.

Plaintiff incorporates paragraphs 1 through 40 as fully set forth herein.

42.

Defendant Kroger Co. is liable to Plaintiff for failure to exercise ordinary care to keep the Premises safe on November 28, 2021.

43.

Defendant Kroger Co. is liable to Plaintiff for carelessness and negligence in the ownership, operation, occupation, management, maintenance, and/or housekeeping regarding the floor on November 28, 2021.

44.

Defendant Kroger Co. was negligent in failing to adopt appropriate policies and procedures to ensure that its employees and agents could be appropriately trained in procedures for properly inspecting and maintaining the premises.

45.

Defendant Kroger Co. was negligent in training and supervising its staff.

46.

As a direct and proximate result of Defendant Kroger Co. negligence in training and supervising its employees, Plaintiff was injured on the premises.

### DAMAGES

47.

Plaintiff incorporates paragraphs 1 through 46 as fully set forth herein.

48.

Defendants are liable for Plaintiff's injuries and damages sustained, pain and suffering, and all other elements of damages allowed under the laws of the State of Georgia.

49.

As a proximate and foreseeable result of the negligence of Defendants' Plaintiff sustained

personal injuries, endured pain and suffering, mental anguish, loss of the enjoyment of life, lost wages, and suffered other damages as will be proven at trial and permitted under Georgia law.

50.

Plaintiff is entitled to recover all elements of damages allowed under Georgia law.

51.

Plaintiff incurred reasonable and necessary medical expenses as follows:

Southern Regional Medical Center	\$7,340.86
Vulcan Imaging Associates	\$476.00
AICA Orthopedics	\$11,599.75
Summit Surgery Center	\$9,903.25
Trans Medic, Inc.	\$396.00
<b>TOTAL</b>	<b>\$25,654.87</b>

52.

Plaintiff committed no negligent acts or omissions that caused or contributed to the injuries associated with the fall on the slippery surface outside of the restroom.

53.

As a direct and proximate result of the aforesaid negligence and breaches of duty by Defendants, Plaintiff suffered injuries and damages including medical and other necessary expenses, mental and physical pain and suffering due to the injuries.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff FANTASIA DAWSON prays for the following:

- (a) That process and summons issue requiring Defendants THE KROGER CO., and 1160 MORELAND DRIVE S.E., LLC to appear as provided by law and to answer the allegations of this Complaint;
- (b) A trial by jury;
- (c) Recovery for her past and future physical pain and suffering;
- (d) Recovery for her past and future mental and emotional pain and suffering;

- (e) Recovery of present and future medical, hospital, and other items of special damages in the amount of \$25,654.87 for incurred medical expenses (*this amount will be changed to reflect additional medical cost by timely amendment to this Complaint*);
- (f) That all costs be cast against Defendants; and
- (h) For such other and further relief as the Court deems just and appropriate.

Respectfully submitted this 4<sup>th</sup> day of July 2023.

THE DUCOS LAW FIRM, LLC  
Alexander Shunnarah Trial Attorneys, of Counsel

/s/ Kristina Ducos  
Kristina Ducos  
Georgia State Bar No. 440149  
Attorney for Plaintiff

600 Peachtree St. NE, Suite 3710  
Atlanta, Georgia 30308  
O: (404) 469-9574  
Direct: (678) 591-7512  
F: (470) 220-5130  
[kducos@asilpc.com](mailto:kducos@asilpc.com)

STATE COURT OF  
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IN THE STATE COURT OF DEKALB COUNTY  
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THE KROGER CO.; 1160 MORELAND ) FILE NO.: 23A02972  
AVE S.E. LLC; JOHN DOE A-B; AND ) JURY TRIAL DEMANDED  
ABC CORPORATIONS 1-5, )  
Defendants. )

**RULE 5.2 CERTIFICATE OF SERVING DISCOVERY**

Plaintiffs hereby certify that a true and correct copy of the following was delivered for service with the summons.

1. Summons and Complaint;
2. Plaintiffs' First Request for Admissions to THE KROGER CO. and 1160 MORELAND AVE S.E. LLC;
3. Plaintiffs' First Set of Interrogatories and Request for Production of Documents THE KROGER CO. and 1160 MORELAND AVE S.E. LLC;
4. 5.2 Certificate of Discovery Materials.

This 4<sup>th</sup> day of July 2023.

THE DUCOS LAW FIRM, LLC  
Alexander Shunnarah Trial Attorneys, of Counsel.

/s/ Kristina Ducos  
Kristina Ducos  
Georgia State Bar No. 440149  
Attorney for Plaintiff

600 Peachtree St. NE, Suite 3710  
Atlanta, Georgia 30308  
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IN THE STATE COURT OF DEKALB COUNTY  
STATE OF GEORGIA

FANTASIA DAWSON, )  
Plaintiff, )  
v. ) CIVIL ACTION  
THE KROGER CO.; 1160 MORELAND ) FILE NO.:  
AVE S.E. LLC; JOHN DOE A-B; AND ) JURY TRIAL DEMANDED  
ABC CORPORATIONS 1-5, )  
Defendants. )

**CERTIFICATE OF SERVICE**

I, Kristina Ducos, do hereby certify that I have this date served a copy of the within and foregoing Rule 5.2 Certificate of Serving Discovery upon all parties to this matter by serving same with the Plaintiffs' Complaint.

Respectfully submitted this 4<sup>th</sup> day of July 2023.

THE DUCOS LAW FIRM, LLC  
Alexander Shunnarah Trial Attorneys, of Counsel.

/s/ Kristina Ducos  
Kristina Ducos  
Georgia State Bar No. 440149  
Attorney for Plaintiff

600 Peachtree St. NE, Suite 3710  
Atlanta, Georgia 30308  
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IN THE STATE COURT OF DEKALB COUNTY  
STATE OF GEORGIA

Fantasia Dawson,

Plaintiff(s),  
vs.  
Case No.: 23A02972

The Kroger Co.; 1160 Moreland Ave S.E. LLC; John  
Doe A-B; and ABC Corporations 1-5,

Defendant(s).

AFFIDAVIT OF SERVICE

Personally appeared before me the undersigned officer duly authorized to administer oaths, Mitchell Davidson, who, after being duly sworn, deposes and states the following:

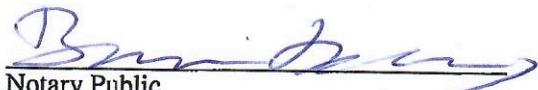
1.

Affiant states that he/she is appointed by this Court to serve process. The statements made are true and correct and are based upon my personal knowledge.

2.

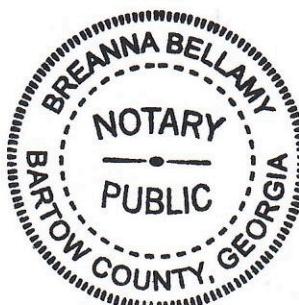
I served The Kroger Co. with a Summons, Complaint, Plaintiff's First Requests for Production of Documents to Defendant The Kroger Co., Plaintiff's First Requests for Admissions to Defendant The Kroger Co., Plaintiff's First Continuing Interrogatories to Defendant The Kroger Co., Rule 5.2 Certificate of Serving Discovery, Certificate of Service and General Civil and Domestic Relations Case Filing Information Form by leaving the documents with Terri Thompson, agent at CSC of Cobb County, Inc., Registered Agent of The Kroger Co. at said person's place of employment/place of business located at 192 Anderson Street SE Suite 125, Marietta, GA 30060 on July 27, 2023 at 12:46 PM.

Signed and sworn to before me on  
this 28 day of July, 2023  
by an affiant who is personally known to me  
or produced identification.

  
Notary Public

Notary Public, Bartow County, Georgia  
My Commission Expires 7-26-2024

  
Mitchell Davidson  
Express Legal Services LLC  
860 Johnson Ferry Rd.  
Atlanta, GA 30342  
(678) 648-6330



STATE COURT OF  
DEKALB COUNTY, GA.  
7/28/2023 11:35 AM  
E-FILED  
BY: Mundy Jackson



\*5147821\*

STATE COURT OF  
DEKALB COUNTY, GA.  
7/28/2023 11:35 AM  
E-FILED  
BY: Mundy B Jackson

IN THE STATE COURT OF DEKALB COUNTY  
STATE OF GEORGIA

Fantasia Dawson,

Plaintiff(s),

Case No.: 23A02972

vs.

The Kroger Co.; 1160 Moreland Ave S.E. LLC; John Doe A-B; and ABC Corporations 1-5,

Defendant(s).

AFFIDAVIT OF SERVICE

Personally appeared before me the undersigned officer duly authorized to administer oaths, Danny Davidson, who, after being duly sworn, deposes and states the following:

1.

Affiant states that he/she is appointed by this Court to serve process. The statements made are true and correct and are based upon my personal knowledge.

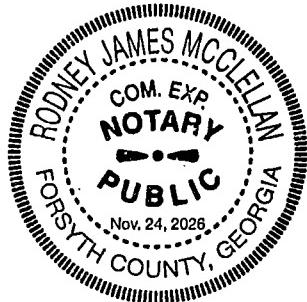
2.

I served 1160 Moreland Ave S.E. LLC with a Summons, Complaint, Plaintiff's First Requests for Production of Documents to Defendant 1160 Moreland Ave S.E., LLC, Plaintiff's First Requests for Admissions to Defendant 1160 Moreland Ave S.E., LLC, Plaintiff's First Interrogatories to Defendant 1160 Moreland Ave S.E., LLC, Rule 5.2 Certificate of Serving Discovery, Certificate of Service and General Civil and Domestic Relations Case Filing Information Form by leaving the documents with Jane Richardson, agent at CT Corporation System, Registered Agent of 1160 Moreland Ave S.E. LLC at said person's place of employment/place of business located at 289 S. Culver St., Lawrenceville, GA 30046 on July 28, 2023 at 12:15 PM.

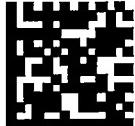
Signed and sworn to before me on  
this 31 day of JULY, 2023  
by an affiant who is personally known to me  
or produced identification.

  
Danny Davidson  
Express Legal Services LLC  
860 Johnson Ferry Rd.  
Atlanta, GA 30342  
(678) 648-6330

Tal Mell  
Notary Public



STATE COURT OF  
DEKALB COUNTY, GA.  
8/3/2023 2:15 PM  
E-FILED  
BY: Kelly Johnson



\*5147822\*

TO: ALL JUDGES, CLERKS OF COURT, AND COUNSEL OF RECORD  
FROM: KRISTINA DUCOS, ESQ.  
RE: NOTICE OF LEAVE OF ABSENCE  
DATE: August 8, 2023

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COMES NOW, Kristina Ducos, Esq., and respectfully notifies all judges before whom she has cases pending, all affected clerks of court, and all opposing counsel, that she will be on leave for less than 30 days pursuant to Georgia Uniform Superior Court Rule 16. The periods of leave during which time applicant will be away from the practice of law are:

**August 18, 2023;**

**August 21, 2023;**

**August 25, 2023;**

**August 28, 2023;**

**September 4, 2023 & September 22, 2023;**

**October 16, 2023 through October 31, 2023;**

**November 1, 2023 through November 13, 2023;**

**December 22, 2023 through December 31, 2023;**

Applicant states that he will be attending family vacation during this period of time and will be unable to participate in trials, hearings, depositions and other legal proceedings.

All affected judges and opposing counsel shall have ten (10) days from the date of this Notice to object to it. If no objections are filed, the leave shall be granted.

Respectfully submitted this 8<sup>th</sup> day of August 2023.

STATE COURT OF  
DEKALB COUNTY, GA.  
8/8/2023 4:50 PM  
E-FILED  
BY: Mundy B Jackson

THE DUCOS LAW FIRM, LLC  
Alexander Shunnarah Trial Attorneys, of Counsel.

/s/ Kristina Ducos  
Kristina Ducos  
Georgia State Bar No. 440149  
Attorney for Plaintiff

600 Peachtree St. NE, Suite 3710  
Atlanta, Georgia 30308  
O: (404) 469-9574  
Direct: (678) 591-7512  
F: (470) 220-5130  
[kducos@asilpc.com](mailto:kducos@asilpc.com)

STATE COURT OF  
DEKALB COUNTY, GA.  
8/8/2023 4:50 PM  
E-FILED  
BY: Mundy Jackson

**CERTIFICATE OF SERVICE**

This is to certify that I have this date served the within and foregoing **NOTICE OF LEAVE OF ABSENCE** upon all judges, clerks and opposing counsel listed on the attached Exhibit "A" by serving a true and correct copy via service with the Plaintiff's Complaint.

Respectfully submitted this 8<sup>th</sup> day of August 2023.

THE DUCOS LAW FIRM, LLC  
Alexander Shunnarah Trial Attorneys, of Counsel.

/s/ Kristina Ducos  
Kristina Ducos  
Georgia State Bar No. 440149  
Attorney for Plaintiff

600 Peachtree St. NE, Suite 3710  
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